

Senate Bill No. 1157

Passed the Senate May 18, 2004

Secretary of the Senate

Passed the Assembly June 24, 2004

Chief Clerk of the Assembly

This bill was received by the Governor this _____ day of
_____, 2004, at _____ o'clock __M.

Private Secretary of the Governor

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CHAPTER _____

An act to amend Section 10369.12 of the Insurance Code, relating to insurance.

LEGISLATIVE COUNSEL'S DIGEST

SB 1157, Romero. Disability insurance: intoxication.

Existing law generally authorizes insurers to include certain provisions in their disability insurance policies. Under existing law, a disability insurance policy may contain a provision indicating that the insurer is not liable for any loss caused by the insured being intoxicated or under the influence of any controlled substance unless administered on the advice of a physician.

This bill would exempt a health insurance policy from the above policy provision.

The people of the State of California do enact as follows:

SECTION 1. Section 10369.12 of the Insurance Code is amended to read:

10369.12. (a) A disability policy may contain a provision in the form set forth herein.

Intoxicants and controlled substances: The insurer shall not be liable for any loss sustained or contracted in consequence of the insured's being intoxicated or under the influence of any controlled substance unless administered on the advice of a physician.

(b) Subdivision (a) does not apply to a policy of health insurance, as defined in subdivision (b) of Section 106.



Approved _____, 2004

Governor

